IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 30943 of 2007(H)

PETITIONER:

ABDUL SALAM, S/O.MOHAMMEDKUTTY HAJI,
AGED 40 YEARS, THIPPOTHAYIL HOUSE,
KADANGODE, THRISSUR DISTRICT.

BY ADV. SRI.P.S.BIJU

RESPONDENTS:

---

1. THRISSUR DISTRICT CO-OPERATIVE BANK,
REP. BY THE GENERAL MANAGER,
THRISSUR DISTRICT CO-OPERATIVE BANK,
THRISSUR - 680001.

2. ASSISTANT REGISTRAR OF CO-OP.SOCIETIES/
ARBITRATOR-CUM-SPECIAL SALE OFFICER,
THRISSUR DISTRICT CO-OPERATIVE BANK,
THRISSUR - 680001.

BY SC SRI. V.G. ARUN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No. 30943 of 2007

- -

Dated this the 22nd day of October, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery steps were taken. Petitioner challenges Exts.P1 and P2 and declaration is also sought. Learned counsel for the petitioner submits that the petitioner may be permitted to pay off the amount in easy instalments.

2. I heard learned counsel for the petitioner and the counsel for the respondents.

Petitioner is permitted to pay off the amount in six instalments. The first instalment shall consists of Rs.20,000/-, which the petitioner has to pay on or before the time of sale mentioned in Ext.P4. The balance amount due with interest is to be paid off in five equal monthly instalments. Upon the petitioner paying Rs.20,000/- as aforesaid, the first respondent will serve a statement on the petitioner within two weeks thereafter showing the exact amount remaining to be paid with interest and the amount of instalments to be paid in terms of this judgment. The first instalment after the payment of Rs.20,000/- shall

be payable on or before 30.11.2007. Further instalments are to be paid on or before the last working day of the succeeding months. If the petitioner does not pay Rs.20,000/- or any of the further instalments, the petitioner will lose the benefit of this judgment and it will be open to the respondents to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

sb